

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 602 , Approved and Ordered July 29, 2016


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, is amended as set out in the attached Schedule.


Minister of Agriculture


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Agricultural Land Commission Act, S.B.C. 2002, c. 36, ss. 58 (2) (a), (a.1) and (b)*

Other: *O.C. 571/2002*

July 18, 2016

3/R/419/2016/3

SCHEDULE

1 Section 1 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, is amended

(a) in subsection (1) by repealing the definition of “agri-tourism” and substituting the following:

“agri-tourism” means

- (a) an activity referred to in subsection (4)
 - (i) that is carried out on land that is classified as a farm under the *Assessment Act*,
 - (ii) to which members of the public are ordinarily invited, with or without a fee, and
 - (iii) in connection with which permanent facilities are not constructed or erected, and
- (b) services that are ancillary to activities referred to in paragraph (a); ,

(b) in subsection (1) by adding the following definition:

“gathering for an event” means a gathering of people on a farm for the purpose of attending

- (a) a wedding, unless paragraph (c) (ii) applies,
- (b) a music festival, or
- (c) an event, other than
 - (i) an event held for the purpose of agri-tourism, or
 - (ii) the celebration, by residents of the farm and those persons whom they invite, of a family event for which no fee or other charge is payable in connection with the event by invitees; , **and**

(c) by adding the following subsection:

- (4) Agri-tourism on a farm means the following:
 - (a) an agricultural heritage exhibit displayed on the farm;
 - (b) a tour of the farm, an educational activity or demonstration in respect of all or part of the farming operations that take place on the farm, and activities ancillary to any of these;
 - (c) cart, sleigh and tractor rides on the land comprising the farm;
 - (d) subject to section 2 (2) (h), activities that promote or market livestock from the farm, whether or not the activity also involves livestock from other farms, including shows, cattle driving and petting zoos;
 - (e) dog trials held at the farm;
 - (f) harvest festivals and other seasonal events held at the farm for the purpose of promoting or marketing farm products produced on the farm;
 - (g) corn mazes prepared using corn planted on the farm.

2 Section 2 is amended

(a) by repealing subsection (2) (e) and substituting the following:

(e) agri-tourism, other than accommodation; ,

(b) by repealing paragraph (d) in the definition of “ancillary use” in subsection (2.4), and

(c) in the definition of “ancillary use” in subsection (2.4) by adding the following paragraphs:

(e) cooking classes, if

(i) the class is held in a food premises within the meaning of the Food Premises Regulation that has been constructed, and is being operated, in compliance with that regulation, and

(ii) the service of food is permitted under a manufacturer licence issued under the *Liquor Control and Licensing Act*;

(f) gathering for an event, if the event is held only in the lounge referred to in paragraph (b) or the special event area referred to in paragraph (c) of this subsection, and, for this purpose, section 3 (4) (k) does not apply.

3 Section 3 is amended

(a) in subsection (1) by adding the following paragraphs:

(s) a refuge for wildlife, if operated in compliance with the *Wildlife Act*;

(t) a facility that shelters and cares for surrendered, abandoned or seized livestock. , **and**

(b) in subsection (4) by adding the following paragraph:

(k) gathering for an event, if all of the following conditions are met:

(i) the farm must be located on land classified as a farm under the *Assessment Act*;

(ii) permanent facilities must not be constructed or erected in connection with the event;

(iii) parking for those attending the event must be available on the farm, but must not be permanent nor interfere with the farm’s agricultural productivity;

(iv) no more than 150 people, excluding residents and employees of the farm, may be gathered on the farm at one time for the purpose of attending the event;

(v) the event must be of no more than 24 hours duration;

(vi) no more than 10 gatherings for an event of any type may occur on the farm within a single calendar year.